

 **Maryland**
Department of Economic &
Employment Development

William Donald Schaefer, Governor
J. Randall Evans, Secretary

Board of Appeals
1100 North Eutaw Street
Baltimore, Maryland 21201
Telephone: (301) 333-5032

Board of Appeals
Thomas W. Keech, Chairman
Hazel A. Warnick, Associate Member
Donna P. Watts, Associate Member

— DECISION —

Decision No.: 1537-BR-91
Date: December 6, 1991
Claimant: Lynda L. Albright Appeal No.: 9115283
S. S. No.:
Employer: Francis Scott Key Medical Ctr. L.O. No.: 40
Appellant: AGENCY
Issue: Whether the claimant had qualifying wages cause, within the meaning of Section 8-802 of the Labor and Employment Article.

— NOTICE OF RIGHT OF APPEAL TO COURT —

YOU MAY FILE AN APPEAL FROM THIS DECISION IN ACCORDANCE WITH THE LAWS OF MARYLAND. THE APPEAL MAY BE TAKEN IN PERSON OR THROUGH AN ATTORNEY IN THE CIRCUIT COURT OF BALTIMORE CITY, IF YOU RESIDE IN BALTIMORE CITY, OR THE CIRCUIT COURT OF THE COUNTY IN MARYLAND IN WHICH YOU RESIDE.

January 5, 1992

THE PERIOD FOR FILING AN APPEAL EXPIRES

— APPEARANCES —

FOR THE CLAIMANT:

FOR THE EMPLOYER:
REVIEW ON THE RECORD

Upon review of the record in this case, the Board of Appeals modifies the decision of the Hearing Examiner.

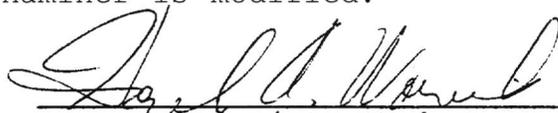
The Hearing Examiner found that the claimant was monetarily eligible for unemployment insurance benefits based on earnings paid in 1991. This is correct, but not until October 1, 1991. As of July 7, 1991, when she originally filed for benefits she did not have sufficient wages in her base period (the last three quarters of 1990 and the first quarter of 1991) to qualify monetarily for a weekly benefit amount, under Section 8-803 of the Labor and Employment Article.

She was paid additional wages of \$3112.27 in the second quarter of 1991, according to agency records. Under Section 8-803, this qualifies her for a weekly benefit amount of \$156.00, in the benefit year beginning October 1, 1991.

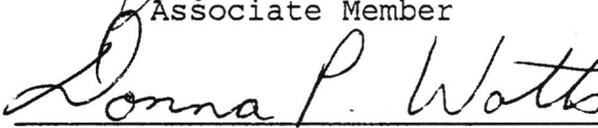
DECISION

The claimant was meeting the monetary eligibility requirements of Section 8-803 of the Labor and Employment Article beginning October 1, 1991.

The decision of the Hearing Examiner is modified.



Associate Member



Associate Member

H:D

kmb

COPIES MAILED TO:

CLAIMANT

EMPLOYER

John T. McGucken - Legal Counsel

UNEMPLOYMENT INSURANCE - EASTPOINT



Maryland

Department of Economic & Employment Development

William Donald Schaefer, Governor
J. Randall Evans, Secretary

William R. Merriman, Chief Hearing Examiner
Louis Wm. Steinwedel, Deputy Hearing Examiner

1100 North Eutaw Street
Baltimore, Maryland 21201

Telephone: 333-5040

— DECISION —

Claimant:	Lynda L. Albright	Date:	Mailed: 10/15/91
		Appeal No.:	9115283
		S. S. No.:	
Employer:	Francis Scott Key Medical Center, Inc.	L. O. No.:	40
		Appellant:	Claimant
Issue:	Whether the claimant had qualifying wages under the Maryland Code, Labor and Employment Article, Title 8, Section 802		

— NOTICE OF RIGHT OF FURTHER APPEAL —

ANY INTERESTED PARTY TO THIS DECISION MAY REQUEST A FURTHER APPEAL AND SUCH APPEAL MAY BE FILED IN ANY OFFICE OF THE DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT, OR WITH THE APPEALS DIVISION, ROOM 515, 1100 NORTH EUTAW STREET, BALTIMORE, MARYLAND 21201, EITHER IN PERSON OR BY MAIL.

THE PERIOD FOR FILING A FURTHER APPEAL EXPIRES AT MIDNIGHT ON October 30, 1991

— APPEARANCES —

FOR THE CLAIMANT:

Claimant - Present

FOR THE EMPLOYER:

Laurence J. Simpson,
Mgr. Employee
Relations
Lisa Melin,
Nursing Supervisor

FINDINGS OF FACT

The claimant applied for unemployment insurance benefits and established a non-monetary eligibility for the year beginning July 7, 1991. The Claims Examiner determined that the claimant was not monetarily eligible because the employer had not reported sufficient wages during the base period, in order for her to qualify for unemployment.

The Local Office records indicated as of December 8, 1990, that the claimant's yearly earnings amounted to \$1,115.76. Based upon this, it was determined that she was not monetarily eligible.

At this hearing, the claimant showed that as of June 22, 1991, her year to date earnings amounted to \$7,162.68. This is the amount she was paid and this is the amount she received.

CONCLUSIONS OF LAW

It is determined that the claimant meets the monetary eligibility requirements and should be considered for unemployment benefits. The claimant is advised that this determination has no bearing on whether or not she is other eligible to receive unemployment insurance benefits based upon her separation from employment.

DECISION

The claimant has earned sufficient base period wages as required by the Maryland Code, Labor and Employment Article, Title 8, Section 802 and is monetarily eligible for unemployment insurance benefits. Other eligibility requirements are to be determined by the Local Office.

The determination of the Claims Examiner is reversed.


Mary Welcome
Hearing Examiner

Date of Hearing: October 2, 1991
lr/Specialist ID: 40311
Cassette No: 9629
Copies mailed on October 15, 1991 to:

Claimant
Employer
Unemployment Insurance - Eastpoint (MABS)